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STATE OF WISCONSIN
BEFORE THE MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING, AND SOCIAL WORK
EXAMINING BOARD, PROFESSIONAL COUNSELOR SECTION

In the Matter of the Application for a
License as Professional Counselor of

COURTNEY A. ENDRES,

Applicant.

FINAL DECISION
AND ORDER
ON APPLICATION
(Class I Proceeding)
LS0908183CPC

PARTIES

The parties in this matter under sec. 227.44, Stats. and ch. RL 1.04, Wis. Admin. Code, and for purposes of review under sec. 227.53, Stats., are:

Courtney A. Endres
1705 Lynndale Road
Madison, WI 53711

Marriage and Family Therapy, Professional
Counseling, and Social Work Examining Board

Department of Regulation and Licensing 1400
East Washington Ave.
Madison, WI 53702

APPLICABLE LAW

Sec. 457.12 , Stats. Professional Counselor License. *The professional counselor section shall grant a professional counselor license to any individual who does all of the following:*

(1) Satisfies the requirements in s. 457.06.

(2) Submits evidence satisfactory to the professional counselor section that he or she has received a master's or doctorate degree in professional counseling or its equivalent from a program approved by the professional counselor section.

(3) Submits evidence satisfactory to the professional counselor section that he or she has done any of the following:

(a) After receiving a master's degree in professional counseling or its equivalent, engaged in the equivalent of at least 3,000 hours of professional counseling practice, including at least 1,000 hours of face-to-face client contact, supervised by one of the following:

1. An individual licensed as a professional counselor who has received a doctorate degree in professional counseling.

2. An individual licensed as a professional counselor who has engaged in the equivalent of 5 years of full-time professional counseling practice.

3. A psychiatrist or a psychologist licensed under ch. 455.

4. An individual, other than an individual specified in subd. 1., 2., or 3., who is approved by the professional counselor section or satisfies requirements for supervision that are specified in rules promulgated by the examining board upon the advice of the professional counselor section.

(b) Received a doctorate degree in professional counseling or its equivalent, and, either during or after

the doctorate degree program or its equivalent, engaged in the equivalent of at least 1,000 hours of full–time professional counseling practice supervised by one of the following:

- 1. An individual licensed as a professional counselor who has received a doctorate degree in professional counseling.*
- 2. An individual licensed as a professional counselor who has engaged in the equivalent of 5 years of full–time professional counseling practice.*
- 3. A psychiatrist or a psychologist licensed under ch. 455.*
- 4. An individual, other than an individual specified in subd. 1., 2., or 3., who is approved by the professional counselor section or satisfies requirements for supervision that are specified in rules promulgated by the examining board upon the advice of the p professional counselor section.*

Sec. 457.04, Stats., Prohibited Practices. *Except as provided ss. 250042(4)(b) and 457.02, no person may do any of the following:*

(6)Practice professional counseling or designate himself or herself as a professional counselor or use or assume the title “professional counselor” professional rehabilitation counselor” “vocational rehabilitation counselor,” “rehabilitation counselor” or any other title or designation that represents or may tend to represent the person as a professional counselor unless the person is licensed as a professional counselor under this chapter.

Chapter MPSW 12.01 Supervised Practice Requirement. *(1) An applicant who has received a master’s degree shall complete at least 3,000 hours of professional counseling practice in no less than two years, including at least 1,000 hours of professional counseling, under the supervision of a person specified in s. MPSE 12.02(2) before the applicant is eligible for a license as a professional counselor.*

Chapter MPSW 11.015 Application for a Professional Counselor Training License (1) *The Professional Counselor Section shall grant a professional counselor training license to any individual who does all of the following: (a) Submits a completed, signed application form (b) Pays the fee specified in s. 440.05(6), Stats.,(c) Satisfies the requirements in s. 457. 12(2), Stats. and (d) Submits evidence satisfactory to the professional counselor section of one of the following:*

- 1. The applicant is in a position or has an offer for a position as a professional counselor in a supervised clinical professional counseling practice.*
- 2. The applicant is in a position or has an offer for a position in which the applicant will, in the opinion of the professional counselor section, receive training and supervision equivalent to the training and supervision received in a supervised clinical professional counseling practice.*

PROCEDURAL HISTORY

The applicant, Courtney A. Endres, submitted an application for a Professional Counselor license on September 22, 2008. The application was reviewed by the Professional Counselor Section which concluded that there was insufficient evidence to demonstrate that the applicant had completed the required 3,000 hours of supervised professional counseling practice in no less than two years under a professional counselor training license. A Notice of Intent to Deny was issued by the section on March 31, 2009. The applicant requested a Class 1 hearing to challenge the decision denying her application for licensure. The hearing was held on July 29, 2009.

The Professional Counselor Section of the Examining Board of Social Workers, Marriage and Family Therapists And Professional Counselors, having held a hearing on the application for licensure as a professional counselor of Courtney A. Endres, and having considered the entire record of the matter, makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

- 1) Courtney A. Endres, whose address is 1705 Lynndale Road, Madison, Wisconsin 53711, submitted an application for a professional counselor license on September 22, 2008.
- 2) The applicant holds a Master's Degree in Clinical Psychology and was working toward a doctorate in Psychology.
- 3) The applicant completed her training hours as a part of an American Psychology Association (APA) Masters/Doctoral program.
- 4) The applicant did not accrue her training hours under a training license issued by the Professional Counselor section.
- 5) The applicant's work as a psychology intern and graduate student therapist was not the practice of professional counseling.

CONCLUSIONS OF LAW

A) The Professional Counselors Section is the legal authority responsible for granting credentials for a professional counselor certification under ch. 457, Stats. The Professional Counselors Section has subject-matter jurisdiction over an application for licensure as a professional counselor.

B) The applicant has not submitted evidence satisfactory to the Professional Counselor Section that she has completed 3,000 hours of supervised professional counseling practice in no less than two years as required by sec. 457.12, Stats. and s. MPSW 12.01, Wis. Admin. Code.

C) The applicant has not submitted evidence satisfactory to the Professional Counselor Section that she has completed the required hours of supervised practice while holding a professional counselor training license as required by sec. 457.13, Stats. and s. MPSW 11.015, Wis. Admin. Code.

ORDER

NOW, THEREFORE, it is ordered that the application for certification as a professional counselor of Courtney A. Endres shall be, and hereby is DENIED.

OPINION

In a Class 1 licensing hearing, the applicant bears the burden of proof to establish with credible evidence that the applicant has satisfied the requirements for licensure. At the hearing in this matter, the applicant argued that she should be credited with completing the required 3,000 hours of supervised practice through the training she completed in a psychology masters-to-doctoral program. The applicant contends that a portion of the post graduate hours were completed at the school therapy clinic, at practicum sites and during a psychology internship in the state of Illinois. The applicant admits that she did not have complete these hours under a training license issued by the Professional Counselor section. The applicant further admits that she was not working in a clinical professional counseling practice under the supervision of an approved supervisor. The applicant indicated that she has been on track to earn an advanced degree in psychology and has completed all but her dissertation (ABT). When asked at the hearing why she is now seeking a professional counselor license, the applicant indicated that until her dissertation is finished, the professional counseling license would enable her to obtain gainful employment in the counseling field.

The issue at the hearing was whether the applicant received training that was comparable or equivalent to training she would have received had she completed her training in a supervised professional counseling clinical practice under a training license. The evidence presented did not demonstrate that the applicant's graduate training in psychology was equivalent such to warrant licensure. Although the fields of psychology and professional counseling may be interrelated, each is a separate and distinct profession regulated by its own statutory requirements and scope of practice. The definition of professional counseling is "the combination of human development, rehabilitation and either psychosocial or psychotherapeutic principles, procedures or services that integrate a wellness, pathology and multicultural model of human behavior in order to assist an individual, couple, family, group of individuals, organization, institution or community to achieve mental, emotional, physical, social moral educational, spiritual, vocation or career development and adjustment through the life span of the individual, couple, family, group of individuals, organization, institution or community." s. 457.01(6), Stats.

The purpose of supervised training is integral to the development of professional identity, skills and the scope of practice of a professional counselor. The fact that one may acquire training in a separate profession which overlaps with or is closely related to professional counseling or that may even be a more rigorous program, does not mean that one profession subsumes the other. As an example, a medical doctor may receive more didactic or clinical training than a nurse, however that does not permit a physician to obtain a nursing license just because the physician's education and postgraduate training is more extensive or rigorous. Nor would the medical or nursing profession would accept the use of its credential as an alternative career to persons who are otherwise not appropriately educated and trained in their field to accommodate the need for employment or a marketable credential.

To ensure that appropriate supervised training is obtained, as well as to prevent individuals from engaging in unlicensed practice, the rules provide for the issuance of a training license to those seeking to fulfill the supervised practice requirement. This training credential is issued upon submission of evidence satisfactory to the Professional Counselor Section that the applicant is either in a position, or has an offer for a position, as a professional counselor in a supervised clinical professional counseling practice. The rules require that if the applicant has an offer for a position in other than a supervised clinical counseling practice, that the applicant must receive training and supervision equivalent to the training and supervision received in a supervised clinical professional practice. Equivalence can be predicated upon the initial determination of the Professional Counselor Section when it reviews and approves training licenses and the supervisors who are qualified to supervise those working under a training license.

In the final analysis, the information which the applicant presented was simply not persuasive to show that the training hours she completed as a part of her master-to-doctoral psychology program were equivalent to those required for a master's degree in professional counseling. The information submitted at the hearing by the applicant did not substantiate that her duties under the title of "psychology intern" or "student therapist" were equivalent to those of a professional counselor in training. It cannot be assumed, nor was it shown at hearing, that the applicant was engaged in professional counseling. Had the applicant obtained a training license from the Professional Counselor's section prior to commencing her graduate level training, it may have been possible to structure the training to fulfill the requirements for licensure as professional counselor. However, by crediting the applicant's training in another field after-the-fact as equivalent to training hours acquired under a professional counselor training license circumvents the credentialing process and does not serve to protect the interests of the public by ensuring that those who receive the credential are appropriately prepared and qualified to work as a professional counselor.

Dated at Madison, Wisconsin, this 20th day of August, 2009.

Leslie Mirkin, Chair
Professional Counselors Section of the
Marriage and Family Therapy, Professional Counseling,
and Social Work Examining Board

The applicant's right to request rehearing and for judicial review is set forth in the enclosed "Notice of Appeal Information".

enc. Notice of Appeal Information